

Serial No. **09/725,514**
Amendment dated **February 6, 2006**
Reply to Office Action of **August 4, 2005**

Docket No. **K-0241**

REMARKS/ARGUMENTS

Claims 1-9 and 43-82 are pending. By this Amendment, claims 43, 47-49, 51-53, 66 and 67 are amended.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Figures 4-7 and 9-13 and the related disclosure thereof is objected to for informalities. It is respectfully submitted that the measurement results would be apparent to one of ordinary skill in the art. Applicant respectfully disagrees with the Patent Office assessment of the description of Figures 4-7 and 9-13. However, for the sole purpose of expediting the prosecution, Applicant will subsequently file a Substitute Specification with deletion of Figures 4-7 and 9-13 to overcome this objection. However, the Applicant reserves the right to reinsert such material if the Patent Office later considers such deletion to be deletion of essential subject matter, which the Applicant believes to be non-essential. Hence, withdrawal of this objection is respectfully requested.

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Claims 43, 47-49, 51-53, and 67 stand objected to based on typographical informalities. These claims have been amended to change the term “Hadarmad” to “Hadamard.” Hence, withdrawal of this objection is respectfully requested.

Claims 1-3, 9, 40, 43-49 and 52-82 stand rejected under 35 U.S.C. §102(a) over TSG-RAN XP-002213881, Optimum ID codes for SSDT (hereinafter “TSG-RAN Document”).

Claims 4-8, 50 and 51 are indicated as allowable. However, the rejection under §102(a) is respectfully traversed.

As previously argued throughout prosecution, the TSG-RAN Document is an inappropriate reference. In the Final Office Action, the Patent Office indicated that a Declaration from the inventor is needed to establish the date of publication of TSG-RAN Document. Attached herewith is a Declaration from the inventor affirming that the TSG-RAN Document was published on or after December 2, 1999 in Dresden, Germany. This Declaration is submitted for the sole purpose of expediting the prosecution.

It is noted that even the European Examiner in the Search Report submitted with the Information Disclosure Statement of December 9, 2002 has previously indicated that this document was available after December 2, 1999. Moreover, the Patent Office indicated that such a Declaration required that the subject matter of all claim material is derived from the Korean Application 1999/54097. However, such requirement is erroneous since this application was filed on November 30, 2000. The Declaration sets forth that the TSG-RAN Document was

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published within one year of the U.S. filing date to remove the TSG-RAN Document as a §102(a) reference since the inventor's own publication within one year of the U.S. filing date is not a Section 102(a) reference.

With the filing of the Declaration and numerous evidences provided that the publication date of TSG-RAN Document is after December 2, 1999, withdrawal of the §102(a) rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

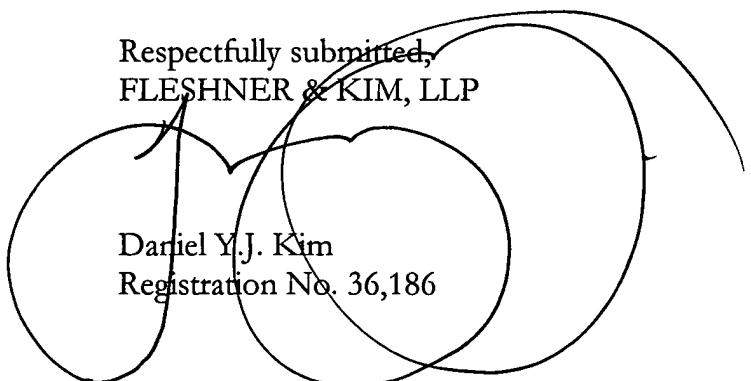
If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel Y.J. Kim**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Daniel Y.J. Kim
Registration No. 36,186

Attachment: Declaration Under 37 C.F.R. §1.131 and/or §1.132

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK/dak

Date: February 6, 2006

Please direct all correspondence to Customer Number 34610

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